

MICHAEL C. KANE, ESQ.  
Nevada Bar No.: 10096  
BRADLEY J. MYERS, ESQ.  
Nevada Bar No.: 8857  
ZACHARY W. LIVINGSTON, ESQ.  
Nevada Bar No.: 15954  
**THE702FIRM INJURY ATTORNEYS**  
400 S. 7<sup>th</sup> Street, 4<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
Telephone: (702) 776-3333  
Facsimile: (702) 505-9787  
**Email:** [service@the702firm.com](mailto:service@the702firm.com)  
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

RUTH QUIMBY,

Plaintiff,

vs.

MICHAEL STEVENS, individually;  
PINNACLE HEAVY HAUL INC., an Indiana  
Corporation; DOES I through X, inclusive; and  
ROE CORPORATIONS I through X, inclusive,

Defendants.

Case No.: 2:19-cv-02181-JCM-NJK

**JOINT PRE-TRIAL ORDER**

After pretrial proceedings in this case,

**IT IS ORDERED:**

**I. INTRODUCTION**

1. This is a motor vehicle incident case that occurred on or about November 16, 2017.

Plaintiff alleges Defendant MICHAEL STEVENS was driving a vehicle owned by Defendant PINNACLE HEAVY HAUL. Based upon information and belief, at the time of the car crash, Defendant was acting within the course and scope of his employment. Plaintiff and Defendant were traveling east on SR 17, at the Northbound/Sunset Road off Ramp. Plaintiff was allegedly in the Number one (1) left turn lane. Defendant was allegedly in the Number two (2) left turn lane.

As Defendant attempted to pass Plaintiff, Defendant allegedly failed to maintain his travel lane and struck the left side of Plaintiff's vehicle. Defendant has offered additional affirmative defenses as part of its pleadings in this action, and Defendant reserves the right to rely on the pleadings on file in this action to articulate its contentions in this case.

## II. STATEMENT OF JURISDICTION:

This action was originated by the filing of a Complaint in the District Court, Clark County, Nevada on September 11, 2019. Defendants Answered the Complaint on October 30, 2019 and removed the case from State Court to Federal Court on December 18, 2019, citing diversity between the parties and that this Court has jurisdiction of the matter under 28 U.S.C. § 1332 and 28 U.S.C § 1446(d).

1. The following facts are admitted by the parties and require no proof: None at this time.
2. The following facts are admitted by the parties and require no proof: None at this time.
3. The following are issues of fact to be tried and determined at trial:

### **PLAINTIFF:**

1. Whether Defendant breached a duty of care owed to Plaintiff.
2. The nature, extent and value of Plaintiff's accident-related damages.

### **DEFENDANT:**

1. Whether Defendant was negligent at the time of the incident which forms the basis of this litigation.
2. Whether Defendant Michael Stevens was negligent in the operation of his motor vehicle at the time of the incident which forms the basis of this litigation.
3. Whether such negligence, if any, was a proximate cause of Plaintiff RUTH QUIMBY alleged injuries.
4. Whether Plaintiff RUTH QUIMBY was comparatively negligent at the time of the incident which forms the basis of this litigation.

- 1           5.     Whether the comparative negligence of Plaintiff RUTH QUIMBY, if any,
- 2                 was a proximate cause of Plaintiff RUTH QUIMBY'S alleged injuries and
- 3                 damages.
- 4           6.     Whether the comparative negligence of Plaintiff RUTH QUIMBY, if any, is
- 5                 greater than the negligence of the Defendant, if any.
- 6           7.     Whether Plaintiff RUTH QUIMBY expressly assumed whatever risk or
- 7                 hazard existed at the time of the alleged incident, if any.
- 8           8.     Whether Plaintiff RUTH QUIMBY, by assuming the risk or hazard that existed
- 9                 at the time of the alleged incident, if any, was therefore responsible for the
- 10                alleged injuries suffered, if any.
- 11           9.     Whether Plaintiff RUTH QUIMBY was involved in a prior accident or other form
- 12                of traumatic event.
- 13           10.    Whether any prior accident or other form of traumatic event involving Plaintiff
- 14                RUTH QUIMBY, if any, caused the injuries of which he complains in this
- 15                litigation.
- 16           11.    Whether the occurrence which is the subject matter of this action was avoidable.
- 17           12.    Whether the occurrence which is the subject matter of this action was unavoidable
- 18           13.    Whether the occurrence which is the subject matter of this action was caused in
- 19                whole or in part by the actions of a third party, outside of the control of any party
- 20                to this litigation.
- 21           14.    Whether the occurrence which is the subject matter of this action was caused in
- 22                whole or in part by the negligence of a third party, outside of the control of any
- 23                party to this litigation.
- 24                party to this litigation.
- 25                party to this litigation.
- 26                party to this litigation.
- 27                party to this litigation.
- 28                party to this litigation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

15. The percentage of reduction for the amount of damages that is commensurate with the comparative negligence, in any, of Plaintiff RUTH QUIMBY.
16. Whether Plaintiff RUTH QUIMBY suffered injuries to her head, neck, back, spine or upper and/or lower extremities or any parts of her body in which she claims injury resulting from the incident which forms the basis of this litigation.
17. Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of past medical expenses stemming from injuries resulting from the incident which forms the basis of this litigation.
18. The amount of monetary damages in the form of past medical expenses, if any, Plaintiff RUTH QUIMBY suffered from injuries as a proximate result of this accident.
19. Whether Plaintiff RUTH QUIMBY will continue to suffer monetary damages in the future in the form of medical expenses stemming from injuries resulting from the incident which forms the basis of this litigation.
20. The amount of monetary damages in the form of future medical expenses, if any, Plaintiff RUTH QUIMBY will suffer from injuries as a proximate result of this accident.
21. Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of past lost wages stemming from injuries resulting from the incident which forms the basis of this litigation.
22. The amount of monetary damages in the form of past lost wages, if any, Plaintiff RUTH QUIMBY suffered from injuries as a proximate result of this accident.

- 1           23.   Whether Plaintiff RUTH QUIMBY will suffer monetary damages in the form of  
2           future lost wages stemming from injuries resulting from the incident which forms  
3           the basis of this litigation.  
4  
5           24.   The amount of monetary damages in the form of future lost wages, if any,  
6           Plaintiff RUTH QUIMBY will suffer from injuries as a proximate result of this  
7           accident.  
8  
9           25.   Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of  
10          past loss of enjoyment of life, if any, Plaintiff RUTH QUIMBY suffered from  
11          injuries as a proximate result of this accident.  
12  
13          26.   The amount of monetary damages in the form of past loss of enjoyment of life,  
14          if any, Plaintiff RUTH QUIMBY suffered as a result of injuries as a proximate  
15          result of this accident.  
16  
17          27.   Whether Plaintiff RUTH QUIMBY will suffer monetary damages in the form  
18          of future loss of enjoyment of life, if any, Plaintiff RUTH QUIMBY suffered  
19          from injuries to his body as a proximate result of this accident.  
20  
21          28.   The amount of monetary damages in the form of future loss of enjoyment of  
22          life, if any, Plaintiff RUTH QUIMBY will suffer as a result of injuries as a  
23          proximate result of this accident.  
24  
25          29.   Whether Plaintiff RUTH QUIMBY suffered injuries to her spine resulting from  
26          the incident which forms the basis of this litigation.  
27  
28          30.   Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of  
past medical expenses stemming from injuries resulting from the incident which  
forms the basis of this litigation.

- 1           31.    The amount of monetary damages in the form of past medical expenses, if  
2                   any, Plaintiff RUTH QUIMBY suffered from injuries as a proximate result of  
3                   this accident.
- 4           32.    Whether Plaintiff RUTH QUIMBY will continue to suffer monetary damages in  
5                   the future in the form of medical expenses stemming from injuries resulting from  
6                   the incident which forms the basis of this litigation.
- 7
- 8           33.    The amount of monetary damages in the form of future medical expenses, if any,  
9                   Plaintiff RUTH QUIMBY will suffer from injuries to his spine as a proximate  
10                  result of this accident.
- 11          34.    Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of  
12                  past lost wages stemming from injuries to his spine resulting from the incident  
13                  which forms the basis of this litigation.
- 14
- 15          35.    The amount of monetary damages in the form of past lost wages, if any, Plaintiff  
16                  RUTH QUIMBY suffered from injuries to his spine as a proximate result of this  
17                  accident.
- 18          36.    Whether Plaintiff RUTH QUIMBY will suffer monetary damages in the form of  
19                  future lost wages stemming from injuries to his spine resulting from the incident  
20                  which forms the basis of this litigation.
- 21
- 22          37.    The amount of monetary damages in the form of future lost wages, if any,  
23                  Plaintiff RUTH QUIMBY will suffer from injuries as a proximate result of this  
24                  accident.
- 25          38.    Whether Plaintiff RUTH QUIMBY suffered monetary damages in the form of  
26                  past loss of enjoyment of life, if any, Plaintiff RUTH QUIMBY suffered from  
27                  injuries as a proximate result of this accident.
- 28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

39. The amount of monetary damages in the form of past loss of enjoyment of life, if any, Plaintiff RUTH QUIMBY suffered as a result of injuries as a proximate result of this accident.
40. Whether Plaintiff RUTH QUIMBY will suffer monetary damages in the form of future loss of enjoyment of life, if any, Plaintiff suffered from injuries to his spine as a proximate result of this accident.
41. The amount of monetary damages in the form of future loss of enjoyment of life, if any, Plaintiff RUTH QUIMBY will suffer as a result of injuries as a proximate result of this accident.
42. Whether Plaintiff RUTH QUIMBY failed to mitigate her damages.
43. Whether Plaintiff RUTH QUIMBY suffered from any pre-existing injuries and problems at the time of the incident which forms the basis of this litigation.
44. Whether Plaintiff RUTH QUIMBY's medical costs for treatment derived from unreasonable or unnecessary treatment
45. Whether Plaintiff RUTH QUIMBY's medical costs for treatment were usual and customary in the Las Vegas community.
46. Whether Plaintiff RUTH QUIMBY's medical costs for treatment were presented solely to improperly attempt to increase the value of this case.
47. Whether Plaintiff RUTH QUIMBY's alleged injuries were the result of a superseding intervening cause.
48. Whether Plaintiff RUTH QUIMBY suffered from any pre-existing injuries and problems at the time of the incident which forms the basis of this litigation.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

49. Whether Plaintiff RUTH QUIMBY's medical costs for treatment derived from unreasonable or unnecessary treatment
50. Whether Plaintiff RUTH QUIMBY's medical costs for treatment were usual and customary in the Las Vegas community.
51. Whether Plaintiff RUTH QUIMBY's medical costs for treatment were presented solely to improperly attempt to increase the value of this case.
52. Whether Defendants were negligent and whether such negligence was a proximate cause of Plaintiff RUTH QUIMBY's alleged injuries and alleged damages.
53. Whether Plaintiff RUTH QUIMBY was comparatively negligent in causing the subject accident.
54. Whether the comparative negligence of Plaintiff RUTH QUIMBY, if any, is greater than the negligence of the Defendants, if any.
55. The percentage of reduction for the amount of damages that is commensurate with the comparative negligence, in any, of Plaintiff RUTH QUIMBY.
56. The percentage of reduction for the amount of damages that is commensurate with the comparative negligence, in any, of Plaintiff RUTH QUIMBY.
57. The percentage of reduction for the amount of damages that is commensurate with the comparative negligence, in any, of Plaintiff RUTH QUIMBY.
58. The extent and value of Plaintiff's damages (including past and future pain and suffering) related to the incident, if any, and as permitted by Court orders regarding admissibility.

**III. THE FOLLOWING ARE ISSUES OF LAW TO BE TRIED AND DETERMINED AT TRIAL:**

1. Duty
2. Breach
3. Causation



4. Damages
5. The issues of law raised in the parties' anticipated Motions in Limine.
6. The issues of law raised by the parties at trial.
7. Whether Defendant was negligent at the time of the incident which forms the basis of this litigation.
8. Whether such negligence, if any, was a proximate cause of Plaintiff's alleged injuries and alleged damages.
9. Whether Plaintiff failed to operate her vehicle in a safe and reasonable manner at the time of the subject incident.
10. Whether the subject collision proximately caused injuries to Plaintiff.
11. Whether Plaintiff was comparatively negligent at the time of the incident which forms the basis of this litigation.
12. Whether the comparative negligence of Plaintiff, if any, was a proximate cause of Plaintiff's alleged injuries and alleged damages.
13. Whether the comparative negligence of Plaintiff, if any, is greater than the negligence of the Defendant, if any.
14. Whether any risks and dangers involved in the factual situation set forth in the Complaint, if any, were open and obvious to Plaintiff.
15. Whether Plaintiff was involved in a prior accident or other form of traumatic event.
16. Whether any prior accident or other form of traumatic event involving Plaintiff, if any, caused the injuries of which he complains in this litigation.
17. Whether the occurrence which is the subject matter of this action was avoidable.
18. Whether the occurrence which is the subject matter of this action was unavoidable.

19. Whether the occurrence which is the subject matter of this action was caused in whole or in part by the actions of a third party, outside of the control of any party to this litigation.
20. Whether the occurrence which is the subject matter of this action was caused in whole or in part by the negligence of a third party, outside of the control of any party to this litigation.
21. The percentage of reduction for the amount of damages that is commensurate with the comparative negligence, in any, of Plaintiff.
22. Whether Plaintiff suffered injuries resulting from the incident which forms the basis of this litigation.
23. Whether Plaintiff suffered monetary damages in the form of past medical expenses stemming from alleged injuries resulting from the incident which forms the basis of this litigation.
24. The amount of monetary damages in the form of past medical expenses, if any, Plaintiff suffered from alleged injuries as a proximate result of this accident.
25. Whether Plaintiff will continue to suffer monetary damages in the future in the form of medical expenses stemming from alleged injuries resulting from the incident which forms the basis of this litigation.
26. The amount of monetary damages in the form of future medical expenses, if any, Plaintiff will suffer from alleged injuries as a proximate result of this accident.
27. Whether Plaintiff suffered monetary damages in the form of past lost wages stemming from injuries resulting from the incident which forms the basis of this litigation.

- 1 28. The amount of monetary damages in the form of past lost wages, if any, Plaintiff
- 2 suffered from injuries as a proximate result of this accident.
- 3 29. Whether Plaintiff will suffer monetary damages in the form of future lost wages
- 4 stemming from injuries resulting from the incident which forms the basis of this
- 5 litigation.
- 6 30. The amount of monetary damages in the form of future lost wages, if any,
- 7 Plaintiff will suffer from injuries as a proximate result of this accident.
- 8 31. Whether Plaintiff suffered monetary damages in the form of past loss of
- 9 enjoyment of life, if any, Plaintiff suffered from injuries as a proximate result of
- 10 this accident.
- 11 32. The amount of monetary damages in the form of past loss of enjoyment of life,
- 12 if any, Plaintiff suffered as a result of injuries as a proximate result of this
- 13 accident.
- 14 33. Whether Plaintiff will suffer monetary damages in the form of future loss of
- 15 enjoyment of life, if any, Plaintiff suffered from injuries as a
- 16 proximate result of this accident.
- 17 34. The amount of monetary damages in the form of future loss of enjoyment of
- 18 life, if any, Plaintiff will suffer as a result of injuries as a proximate result
- 19 of this accident.
- 20 35. Whether Plaintiff suffered injuries to her body, including, but not limited to her,
- 21 spine resulting from the incident which forms the basis of this litigation.
- 22 36. Whether Plaintiff suffered monetary damages in the form of past medical
- 23 expenses stemming from alleged injuries resulting from the incident which
- 24 forms the basis of this litigation.
- 25
- 26
- 27
- 28

- 1 37. The amount of monetary damages in the form of past medical expenses, if  
2 any, Plaintiff suffered from alleged injuries as a proximate result of this  
3 accident.  
4
- 5 38. Whether Plaintiff will continue to suffer monetary damages in the future in the  
6 form of medical expenses stemming from injuries allegedly resulting from the  
7 incident which forms the basis of this litigation.  
8
- 9 39. The amount of monetary damages in the form of future medical expenses, if any,  
10 Plaintiff will suffer from injuries as a proximate result of this accident.  
11
- 12 40. Whether Plaintiff suffered monetary damages in the form of past lost wages  
13 stemming from injuries to his spine resulting from the incident which forms the  
14 basis of this litigation.  
15
- 16 41. The amount of monetary damages in the form of past lost wages, if any, Plaintiff  
17 suffered from injuries allegedly as a proximate result of this accident.  
18
- 19 42. Whether Plaintiff will suffer monetary damages in the form of future lost wages  
20 stemming from injuries allegedly resulting from the incident which forms the basis  
21 of this litigation.  
22
- 23 43. The amount of monetary damages in the form of future lost wages, if any,  
24 Plaintiff will suffer from injuries allegedly as a proximate result of this accident.  
25
- 26 44. Whether Plaintiff suffered monetary damages in the form of past loss of  
27 enjoyment of life, if any, Plaintiff suffered from injuries allegedly as a proximate  
28 result of this accident.  
29
- 30 45. The amount of monetary damages in the form of past loss of enjoyment of life, if  
31 any, Plaintiff suffered as a result of injuries allegedly as a proximate result of this  
32 accident.

- 1 46. Whether Plaintiff will suffer monetary damages in the form of future loss of
- 2 enjoyment of life, if any, Plaintiff suffered from injuries as a proximate result
- 3 of this accident.
- 4
- 5 47. The amount of monetary damages in the form of future loss of enjoyment of
- 6 life, if any, Plaintiff will suffer as a result of injuries allegedly as a
- 7 proximate result of this accident.
- 8
- 9 48. Whether Plaintiff failed to mitigate her damages.
- 10 49. Whether Plaintiff suffered from any pre-existing injuries and problems in her
- 11 body at the time of the incident which forms the basis of this litigation.
- 12
- 13 50. Whether Plaintiff's medical costs for treatment derived from unreasonable or
- 14 unnecessary treatment.
- 15 51. Whether Plaintiff's medical costs for treatment were usual and customary in the
- 16 Las Vegas community.
- 17 52. Whether Plaintiff's medical costs for treatment were presented solely to
- 18 improperly attempt to increase the value of this case.
- 19 53. Whether Plaintiff's alleged injuries were the result of a superseding intervening
- 20 cause.
- 21 54. Whether Plaintiff suffered from any pre-existing injuries and problems at the time
- 22 of the incident which forms the basis of this litigation.
- 23
- 24 55. Such evidentiary and procedural issues which may arise during the trial of this
- 25 action.
- 26 56. Any remaining issues which may be brought before the Court after rulings on
- 27 Motions in Limine.
- 28

///

///

///

**IV. EXHIBITS**

(a) The following exhibits are stipulated into evidence in this case and may be so marked by the clerk:

NONE.

(b) As to the following exhibits, the party against whom the same will be offered objects to their admission on the grounds stated:

The following exhibits, though not agreed as admissible evidence in this case, are subject to be used by the parties. The parties will work to refine a list of exhibits.

**The Parties intend to offer into evidence in this case the following exhibits:**

**No.: Plaintiff's Exhibits:**

Exhibit	Description	Defendants' Objections
1.	Community Ambulance medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
2.	Interventional Pain & Spine Institute medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are

1		excluded by any motion in limine.
2	3.	Radiology Specialists FILMS, medical records and
3		billing statement.
4		inadmissible, lack foundation,
5		is/are not genuine or authentic;
6		constitute inadmissible hearsay;
7		are unduly prejudicial; violative
8		of the best evidence rule, are not
9		relevant, and are inadmissible
10		for any other reason set forth
11		within the statutory Rules of
12		Evidence in Nevada, or any
13		other Nevada law. Defendants
14		further object to the extent that
15		this/these documents are
16		excluded by any motion in
17		limine.
18	4.	Fremont Emergency Services billing statement.
19		inadmissible, lack foundation,
20		is/are not genuine or authentic;
21		constitute inadmissible hearsay;
22		are unduly prejudicial; violative
23		of the best evidence rule, are not
24		relevant, and are inadmissible
25		for any other reason set forth
26		within the statutory Rules of
27		Evidence in Nevada, or any
28		other Nevada law. Defendants
		further object to the extent that
		this/these documents are
		excluded by any motion in
		limine.
	5.	Las Vegas Radiology FILMS, medical records and
		billing statement.
		inadmissible, lack foundation,
		is/are not genuine or authentic;
		constitute inadmissible hearsay;
		are unduly prejudicial; violative
		of the best evidence rule, are not
		relevant, and are inadmissible
		for any other reason set forth
		within the statutory Rules of
		Evidence in Nevada, or any
		other Nevada law. Defendants
		further object to the extent that
		this/these documents are
		excluded by any motion in
		limine.
	6.	Machuca Medicine and Machuca Medicine
		Dispensary medical records and billing
		statement.
		inadmissible, lack foundation,
		is/are not genuine or authentic;
		constitute inadmissible hearsay;
		are unduly prejudicial; violative

1		of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
2		
3		
4		
5		
6		
7	7.	Sunrise Hospital medical records and billing statement.
8		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
9		
10		
11		
12		
13		
14		
15	8.	Interventional Pain & Spine Institute Surgical Recommendation letter.
16		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
17		
18		
19		
20		
21		
22		
23	9.	A&M Chiropractic Wellness Center records and billing statement.
24		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants
25		
26		
27		
28		



		further object to the extent that this/these documents are excluded by any motion in limine.
10.	Spectra Clinical Labs medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
11.	New Century Rehabilitation (ATI Physical Therapy) medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
12.	Quest Diagnostics medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
13.	Concentra Medical Center records and billing statements.	inadmissible, lack foundation, is/are not genuine or authentic;

		constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
14.	SimonMed Imaging FILMS, medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
15.	Nevada Orthopedic and Spine Center medical records and billing.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
16.	Joseph Schifini, M.D. medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of

		Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
17.	RVA Rehabilitation and Vocational Associates medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
18.	Steinberg Diagnostic medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
19.	Medical Rehabilitation Associates medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.

1	20.	Nevada Health Center medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
2			
3			
4			
5			
6			
7			
8			
9	21	Las Vegas Neuroscience and Pain Medicine (Mouchir Harb, M.D.) medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
10			
11			
12			
13			
14			
15			
16			
17	22.	First Person Care Clinics medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
18			
19			
20			
21			
22			
23			
24			
25	23.	Desert Radiology FILMS, medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible
26			
27			
28			

		for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
24.	Henderson Hospital medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
25.	Firooz Mashhood, M.D. medical records and billing statement.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
26.	Steinberg Diagnostic Medical Imaging FILMS, medical and billing records.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are

1		excluded by any motion in limine.
2	27.	Machuca Family medical and billing records.
3		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
4		
5		
6		
7		
8		
9		
10	28.	Kelly Hawkins Physical Therapy medical records and billing statement.
11		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
12		
13		
14		
15		
16		
17		
18	29.	UMC medical records and billing statement.
19		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
20		
21		
22		
23		
24		
25		
26	30.	IME Recording of Dr. Kaplan.
27		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative
28		

1		of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
2		
3		
4		
5		
6		
7	31.	PMSI Pharmacy medical records and billing statement.
8		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
9		
10		
11		
12		
13		
14		
15	32.	Computation of Damages Chart.
16		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
17		
18		
19		
20		
21		
22		
23	33.	NHP Dash Cam Footage.
24		inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, Nevada case, including but not limited to <i>Frias v. Valle</i> , 101 Nev. 219
25		
26		
27		
28		

1		(1985) or any other Nevada law. Defendants further object to the
2		extent that this/these documents
3		are excluded by any motion in
4	34.	limine.
5	NHP Photos.	inadmissible, lack foundation,
6		is/are not genuine or authentic;
7		constitute inadmissible hearsay;
8		are unduly prejudicial; violative
9		of the best evidence rule, are not
10		relevant, and are inadmissible
11		for any other reason set forth
12		within the statutory Rules of
13		Evidence in Nevada, or any
14		other Nevada law. Defendants
15		further object to the extent that
16		this/these documents are
17		excluded by any motion in
18		limine.
19	35.	inadmissible, lack foundation,
20	One (1) Colored Photograph of Plaintiff's Vehicle.	is/are not genuine or authentic;
21		constitute inadmissible hearsay;
22		are unduly prejudicial; violative
23		of the best evidence rule, are not
24		relevant, and are inadmissible
25		for any other reason set forth
26		within the statutory Rules of
27		Evidence in Nevada, or any
28		other Nevada law. Defendants
		further object to the extent that
		this/these documents are
		excluded by any motion in
		limine.
	36.	inadmissible, lack foundation,
	Traffic Accident Report.	is/are not genuine or authentic;
		constitute inadmissible hearsay;
		are unduly prejudicial; are not
		relevant, and are inadmissible
		for any other reason set forth
		within the statutory Rules of
		Evidence in Nevada, Nevada
		case, including but not limited
		to <i>Frias v. Valle</i> , 101 Nev. 219
		(1985) or any other Nevada law.
		Defendants further object to the
		extent that this/these documents
		are excluded by any motion in
		limine.



37.	Eleven (11) Color Photos of both Plaintiff and Defendant's vehicles at the scene of the incident.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.
38.	Thirty-One (31) Color Photos taken by NHP from the scene of the incident.	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule, are not relevant, and are inadmissible for any other reason set forth within the statutory Rules of Evidence in Nevada, or any other Nevada law. Defendants further object to the extent that this/these documents are excluded by any motion in limine.

**No.: Defendant's Exhibits:**

Exhibit	Description	Plaintiff's Objection
1.	Pinnacle Heavy Haul Bill of Lading dated November 14, 2017	
2.	Three (3) color photographs of accident scene	
3.	Driver's Accident Report	
4.	Thirty-two (32) JPG photos from the Nevada Highway Patrol and edited dash cam footage	
5.	Plaintiff Ruth Quimby's Community Ambulance medical and billing records	
6.	Fremont Emergency Services medical and billing records	
7.	Plaintiff Ruth Quimby's Interventional Pain and Spine Institute medical and billing records	
8.	Plaintiff Ruth Quimby's Las Vegas Radiology + films- 01/15/18 MRI Lumbar	
9.	Plaintiff Ruth Quimby's Machuca Family Medicine medical and billing records	

1	10.	Plaintiff Ruth Quimby's Radiology Specialists	
	11.	Plaintiff Ruth Quimby's Sunrise Hospital	
2	12.	Vehicle Registration for 2013 Freightliner tractor	
3	13.	Certificate of Vehicle Title for Defendant's 2013 Freightliner tractor	
4	14.	Vehicle Lease Agreement related to 2013 Freightliner tractor/trailer	
5	15.	Michael Stevens' Employment File	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay; are unduly prejudicial; violative of the best evidence rule,
6			
7			
8	16.	Plaintiff Ruth Quimby's Las Vegas Surgery Center	
9	17.	Plaintiff Ruth Quimby's Steinberg Diagnostic Medical Imaging	
10	18.	Plaintiff Ruth Quimby's A&M Chiropractic	
11	19.	Plaintiff Ruth Quimby's medical records, bills and/or films from Las Vegas Radiology	
12	20.	Plaintiff Ruth Quimby's medical records, bills and/or films from Steinberg Diagnostic Medical Imaging	
13			
14	21.	Plaintiff Ruth Quimby's medical records, bills and/or films from Quest Diagnostics	
15	22.	Plaintiff Ruth Quimby's medical records, bills and/or films from New Century Rehabilitation	
16	23.	Plaintiff Ruth Quimby's medical records, bills and/or films from Spectra Clinical Labs	
17	24.	Plaintiff Ruth Quimby's medical records, bills and/or films from Nevada Orthopedic and Spine Center + films	
18			
19	25.	Plaintiff Ruth Quimby's medical records, bills and/or films from Las Vegas Neuroscience and Pain Management	
20			
21	26.	Plaintiff Ruth Quimby's medical bills received from Sunrise Hospital	
22	27.	Plaintiff Ruth Quimby's medical bills received from Las Vegas Neuroscience and Pain Management	
23			
24	28.	Plaintiff Ruth Quimby's medical records received from PMSI Pharmacy	
25	29.	Plaintiff Ruth Quimby's Employment Records received from the United States Postal Service [personnel file]	
26			
27	30.	Plaintiff Ruth Quimby's Employment Records received from the United States Postal Service [worker's compensation file]	
28			
	31.	Plaintiff Ruth Quimby's Medical and Billing	

1		Records received from Rehabilitation & Vocational Associates	
2	32.	Certificate of Custodian of Records for Plaintiff's Ruth Quimby's billing and medical records received from Quest Diagnostics	
3			
4	33.	Plaintiff Ruth Quimby's Medical and Billing Records received from Concentra Health	
5	34.	Plaintiff Ruth Quimby's Films received from Sunrise Hospital	
6	35.	Plaintiff Ruth Quimby's Films received from SimonMed Imaging	
7			
8	36.	Plaintiff Ruth Quimby's Medical and Billing Records received from Firooz Mashhood, M.D.	
9	37.	Plaintiff Ruth Quimby's Medical and Billing Records received from Henderson Hospital + films	
10	38.	Certificate of Custodian of Records of Plaintiff Ruth Quimby for SimonMed Imaging	
11	39.	Summons and Complaint	
12	40.	Plaintiff Ruth Quimby's Responses to Defendant's First Set of Interrogatories, dated October 2, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Inadmissible to the extent superseded by supplemental answers.
13			
14	41.	Plaintiff Ruth Quimby's Responses to Defendant's First Set of Request for Production of Documents, dated October 2, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
15			
16	42.	Plaintiff Ruth Quimby's Supplemental Responses to Defendant's First Set of Request for Production of Documents, dated October 2, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Inadmissible to the extent superseded by supplemental responses.
17			
18	43.	Plaintiff Ruth Quimby's Responses to Defendant's Second Set of Interrogatories, dated May 6, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
19			
20	44.	Plaintiff Ruth Quimby's Errata to her Responses to Defendant's First Set of Interrogatories, dated May 6, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
21			
22	45.	Defendant Pinnacle Heavy Haul, Inc. dba Pinnacle Transport Group's Responses to Plaintiff's First Set of Requests for Admissions, dated September	
23			
24			
25			
26			
27			
28			

1		18, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
2			
3	46.	Defendant Pinnacle Heavy Haul, Inc. dba Pinnacle Transport Group's Responses to Plaintiff's First Set of Interrogatories, dated September 18, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
4			
5			
6	47.	Defendant Pinnacle Heavy Haul, Inc. dba Pinnacle Transport Group's Responses to Plaintiff's First Set of Request for Production of Documents, dated September 18, 2020 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
7			
8			
9			
10	48.	Curriculum Vitae of Whitney G. Morgan (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay.
11			
12	49.	Initial Expert Report of Whitney G. Morgan, dated May 28, 2021	Constitutes inadmissible hearsay.
13			
14	50.	Supplemental Expert Report of Whitney G. Morgan, dated August 10, 2021	Constitutes inadmissible hearsay.
15			
16	51.	Initial Expert Report of Dror Kopernik, dated August 2, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
17			
18	52.	Curriculum Vitae of Dror Kopernik (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay.
19			
20	53.	Initial Expert Report of Dror Kopernik, dated August 2, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
21			
22	54.	Curriculum Vitae of Stuart S. Kaplan, M.D., FAANS (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay.
23			
24	55.	Independent Medical Examination Report of Stuart S. Kaplan, dated July 6, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
25			
26	56.	Supplemental Report of Stuart S. Kaplan, M.D., FAANS, dated August 2, 2021 (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
27			
28		Supplemental Report of Stuart S. Kaplan, M.D.,	Constitutes inadmissible

1		FAANS, dated September 14, 2021(to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	hearsay.
2			
3		Supplemental Report of Stuart S. Kaplan, M.D., FAANS, dated December 7, 2021(to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
4			
5	57.	Curriculum Vitae, Fee Schedule and Testimony History of Saman Hazany, M.D. (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	inadmissible, lack foundation, is/are not genuine or authentic; constitute inadmissible hearsay.
6			
7	58.	Expert Report of Saman Hazany, M.D. dated April 26, 2022(to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	Constitutes inadmissible hearsay.
8			
9			
10	59.	Deposition transcript of Michael Stevens with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
11			
12	60.	Deposition transcript of Firooz Mashhood, M.D. with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
13			
14	61.	Deposition transcript of Ruth Quimby (volumes 1 and 2) with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
15			
16			
17	62.	Deposition transcript of Maria Giacalone, D.C. with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
18			
19	63.	Deposition transcript of Mouchir Harb, M.D. with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
20			
21	64.	Deposition transcript of Thomas L. Vater, D.O., with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
22			
23			
24	65.	Deposition transcript of Trooper Justin Branske with exhibits (to the extent deemed admissible by the Court, or for purposes of reference without the intent to admit the document)	
25			
26			

Defendant reserves the right to use any discovery responses and/or deposition testimony and/or deposition exhibits for impeachment and/or substantively as party admissions, as may be

1 relevant at trial. Defendant reserves the right to use demonstrative evidence. Defendant also  
 2 reserves the right to use any exhibit listed or introduced by Plaintiff, or as previously produced by  
 3 the parties.

4 The parties reserve any all evidentiary objections for trial. The parties reserve the right to  
 5 object to the admissibility of trial exhibits on the basis of foundation, authenticity, hearsay, and  
 6 relevance. The parties further reserve the right to object to any exhibit being offered by each side  
 7 which has not been previously produced during the normal course of discovery proceedings, or  
 8 pursuant to stipulation and agreement of the parties. The parties also reserve any and all  
 9 evidentiary objections for trial.  
 10

11 **Electronic evidence:** The parties intend to offer and present evidence in electronic format  
 12 to jurors for purposes of jury deliberations pursuant to Local Rule 16-3(b)(9) and will  
 13 contact the court administrator for instructions on how to prepare evidence in electronic  
 14 format and for any other requirements set by the court.  
 15

16 **Depositions:** Defendant does not intend at this time to offer page and line designations for  
 17 any deposition transcripts. In the event Defendant learns that a witness is unavailable to testify at  
 18 trial, Defendant will notify all parties and the Court of page and line designations of the  
 19 unavailable witness's deposition transcript to offer at trial. Defendant reserves the right to use all  
 20 depositions which have been conducted in this action to refresh recollection and/or to impeach a  
 21 witness, and otherwise use at trial in accordance with the applicable rules, *i.e.*, Fed. R. Civ. P. 32;  
 22 Fed. R. Evid. 801(d).  
 23

24 **The following witnesses may be called by the parties at trial:**

25 **No.: Plaintiff's Witnesses:**

26 **FACT & PERCIPIENT WITNESSES:**

- 27 1. Ruth Quimby  
 28 c/o THE702FIRM INJURY ATTORNEYS

400 South 7th Street, 4<sup>th</sup> Floor  
Las Vegas, Nevada 89101  
(702) 776-3333

2. Michael Stevens  
c/o HALL JAFFE & CLAYTON, LLP  
7425 Peak Drive  
Las Vegas, NV 89128  
(702) 316-4111
3. 30(b)(6) Person(s) Most Knowledgeable and/or  
Fed. R. Civ. P. 30(b)(6) for  
Pinnacle Heavy Haul, Inc., dba  
Pinnacle Transport Group  
Pinnacle Transportation Systems, Inc.  
c/o HALL JAFFE & CLAYTON, LLP  
7425 Peak Drive  
Las Vegas, NV 89128  
(702) 316-4111
4. Officer Branske  
Badge No. H6701  
Nevada Highway Patrol  
4615 W. Sunset Road  
Las Vegas, NV 89118

**PLAINTIFF'S MEDICAL PROVIDERS – Fed. R. Civ. P. 30(B)(6)  
REPRESENTATIVES AND/OR DESIGNEES**

1. Arron V. Lovinger, MD  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Fremont Emergency Services  
2951 Marina Bay, Suite 130-132
2. Sunil Gujrathi, MD  
Richard Schwartz, MD  
Joshua Owen, MD  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Radiology Specialists, Ltd.  
703 20<sup>th</sup> Street  
Columbus, GA 31902
3. Alberto Achaval, D.C.



Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 A&M Chiropractic Health Wellness Center  
 830 E. Charleston Blvd.  
 Las Vegas, NV 89104

4. Rogelio Machuca, MD  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Machuca Family Medicine  
 1501 S. Eastern Avenue  
 Las Vegas, NV 89104

5. Thomas Morgan, EMT  
 Robert Norton, Paramedic  
 Jon Flynn AEMT  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Community Ambulance  
 PO Box 98821  
 Las Vegas, NV 89193

6. Rogelio Machuca, MD  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Machuca Family Dispensary  
 1501 S. Eastern Avenue  
 Las Vegas, NV 89104

7. Bhuvana P. Kittusamy, MD  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Las Vegas Radiology  
 401 N. Buffalo Drive, Suite 100  
 Las Vegas, NV 89145

8. Aaron Lovinger, MD  
 Peggy L. Beller, MD  
 Treating Physicians and/or



Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Sunrise Hospital & Medical Center  
 3186 S. Maryland Parkway  
 Las Vegas, NV 89109

9. Jorg Rosler, MD  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Interventional Pain & Spine Institute  
 851 S. Rampart Blvd., Suite 100  
 Las Vegas, NV 89145

10. Melanie Gough, PT, and/or,  
 Barbar Rosso, PT, and/or,  
 Doug Frasniewski, PT and/or,  
 Kasi Snook, PT and/or,  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 New Century Rehabilitation  
 (ATI Physical Therapy)  
 7301 Peak Dr, Ste. 150  
 Las Vegas, NV 89128

11. Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Custodian of Records  
 PMSI Pharmacy  
 P.O. Box 850001, Dept. 0570  
 Orlando, FL 32885

12. Firooz Mashhood, M.D. and/or  
 Treating Physicians and/or  
 Treating Nurses and/or  
 Fed. R. Civ. P. 30(b)(6) Representative and/or  
 Custodian of Records  
 Medical Rehabilitation Associates  
 734 E. Sahara Ave.  
 Las Vegas, NV 89104

13. Fed. R. Civ. P. 30(b)(6) for  
 Professional Institute of Technology Inc  
 Treating Physicians and/or

Treating Nurses and/or  
Representative and/or  
Custodian of Records  
2625 S. Rainbow Blvd  
Las Vegas, NV 89104

14. Kenneth Fortgang, M.D. and/or  
Matthew Reardon, M.D and/or  
Greg J. Coleman, PT and/or  
Michael P. Foster, PT and/or  
Jason Rusk, M.D. and/or  
Steven Xiao, M.D. and/or  
Raymund Dela, M.D. and/or  
John Britton, PT, and/or  
Robert Lewis, PT and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Concentra Medical Center  
149 N. Gibson Road  
Henderson, NV 89014

15. David Mirich, M.D. and/or  
Henry Chang, M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Steinberg Diagnostic Medical Imaging  
P.O. Box 36900  
Las Vegas, NV 89133

16. Eric Davis, M.S., CRC, and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
RVA-Rehabilitation & Vocational Associates  
6550 S. Pecos Rd. Ste B-114  
Las Vegas, NV 89120

17. George Greaney, MD  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Las Vegas Surgery Center  
870 S. Rancho

Las Vegas, NV 89106

18. Joseph J. Schifini, MD  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
600 S. Tonopah Dr., Suite 240  
Las Vegas, NV 89106

19. Muhammad Ali Hyder, M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
First Person Care Clinics  
1200 S. 4<sup>th</sup> Street, Suite 111  
Las Vegas, NV 89104

20. Fed. R. Civ. P. 30(b)(6) Representative and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Custodian of Records for  
QTC Medical Group  
1818 N. Orange Grove, Suite 101  
Pomona, CA 91767

21. Thomas Vater, DO, and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Nevada Orthopedic & Spine Center  
7455 W. Washington Ave. Ste. 160  
Las Vegas, NV 89128

22. Fed. R. Civ. P. 30(b)(6) Representative and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Custodian of Records  
Oasis Counseling Neuropsychology/LCSW  
7361 Prairie Falcon Rd. Ste. D  
Las Vegas, NV 89128

23. Elizabeth Iole, M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records

Quest Diagnostics  
4230 Burnham Ave. #144  
Las Vegas, NV 89119

24. Fed. R. Civ. P. 30(b)(6) Representative and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Custodian of Records  
UNLV Medicine  
1707 W. Charleston Blvd. Suite 110  
Las Vegas, NV 891002

25. Mouchir S. Harb M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Las Vegas Neuroscience and Pain Institute  
6276 S. Rainbow Blvd. Ste. 100  
Las Vegas, NV 89118

26. David K. Lieu, M.D and/or  
Youssef Korkar, CLS and/or,  
Jesse A. Abrajano, M.S., CLS and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Spectra Clinical Labs  
8337 Telegraph Rd. #4  
Pico Rivera, CA 90660

27. Robert R. Cartwright, M.D. and/or  
William Orrison, Jr. M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
SimonMed Imaging  
P.O. Box 207465  
Dallas, TX 75320-7466

28. Parisa Amleshi, M.D. and/or  
Treating Physicians and/or  
Treating Nurses and/or  
Fed. R. Civ. P. 30(b)(6) Representative and/or  
Custodian of Records  
Nevada Health Centers, Inc.  
3325 Research Way

- 1 Carson City, NV 89706
- 2 29. Stepanida Freeman, M.D. and/or
- 3 Treating Physicians and/or
- 4 Treating Nurses and/or
- 5 Fed. R. Civ. P. 30(b)(6) Representative and/or
- 6 Custodian of Records
- 7 Henderson Hospital
- 8 1050 W. Galleria Dr.
- 9 Henderson, NV 89011
- 10 30. Marko Marbella, M.D. and/or
- 11 Van Nguyen, M.D. and/or
- 12 Tamra Baldauf, M.D. and/or
- 13 Hubert Chin, M.D. and/or
- 14 Treating Physicians and/or
- 15 Treating Nurses and/or
- 16 Fed. R. Civ. P. 30(b)(6) Representative and/or
- 17 Custodian of Records
- 18 Desert Radiology
- 19 2020 Palomino Lane, Ste 100
- 20 Las Vegas, NV 89106
- 21 31. Soterita Aispuro, M.D. and/or
- 22 Treating Physicians and/or
- 23 Treating Nurses and/or
- 24 Fed. R. Civ. P. 30(b)(6) Representative and/or
- 25 Custodian of Records
- 26 University Medical Center
- 27 1800 W. Charleston Blvd
- 28 Las Vegas, NV 89102
32. Fed. R. Civ. P. 30(b)(6) Representative and/or
- Treating Physicians and/or
- Treating Nurses and/or
- Custodian of Records
- Kelly Hawkins & Associates
- 3831 W. Charleston Blvd
- Las Vegas, NV 89102
33. Treating Physicians and/or
- Treating Nurses and/or
- Fed. R. Civ. P. 30(b)(6) Representative and/or
- Custodian of Records
- Firooz Mashhood, M.D.
- 5440 W Sahara Ave, Ste 104
- Las Vegas, NV 89146

**No.: Defendant's Witnesses:**

1. Pinnacle Transport Group  
A) FRCP 30(b)(6) Witness(es) to be determined  
B) Mark Herman, Director of Safety & Compliance  
2206 Toledo Road  
Elkhart, Indiana 46516
2. Michael L. Stevens  
880 Salem Drive  
Toms River, New Jersey 08753
3. Ruth Quimby  
c/o Michael C. Kane, Esq.  
Bradley J. Myers, Esq.  
Richard A. Englemann, Esq.  
THE702FIRM  
400 South Seventh Street, Suite 400  
Las Vegas, Nevada 89101
4. Nevada Highway Patrol  
A) FRCP 30(b)(6)Witness(es) and/or Custodian of Records  
B) Trooper Branske, P# H6701  
4615 West Sunset Road  
Las Vegas, Nevada 89118
5. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Jeff Nicholls  
John Flynn  
Community Ambulance  
91 Corporate Park Drive, Suite 120  
Henderson, Nevada 89074
6. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Laiken Dupes  
Fremont Emergency Services Mandavia, Ltd.  
3429 Regal Drive  
Alcoa, Tennessee 37701
7. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Amanda Davis  
Jorg Rosler, M.D.  
Interventional Pain and Spine Institute  
851 South Rampart Boulevard, Suite 100  
Las Vegas, Nevada 89145
8. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Mario Gonzalez

Bhuvana Kittusamy, M.D.  
 Las Vegas Radiology  
 401 North Buffalo Drive, Suite 100  
 Las Vegas, Nevada 89145

9. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Martha Felix  
 Rogelio Machuca, M.D.  
 Maria Machuca, APRN  
 Machuca Family Medicine  
 1501 South Eastern Avenue  
 Las Vegas, Nevada 89104

10. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Andrea Araneta  
 Radiology Specialists, Ltd.  
 703 20<sup>th</sup> Street  
 Columbus, Georgia 31902

11. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Frances Oliveri  
 Aaron Lovinger, M.D.  
 Joshua Owen, M.D.  
 Richard Schwartz, M.D.  
 Sunrise Hospital  
 3186 South Maryland Parkway  
 Las Vegas, Nevada 89109

12. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Laurie Gove  
 Joseph Schifini, M.D.  
 Las Vegas Surgery Center  
 870 South Rancho Drive  
 Las Vegas, Nevada 89106

13. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Ana Santamaria  
 David Mirich, M.D.  
 Henry Chang, M.D.  
 Steinberg Diagnostic Medical Imaging  
 2950 South Maryland Parkway  
 Las Vegas, Nevada 89109

14. Physicians, Nurses, Technicians, Healthcare Providers and/or  
 FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Maria Santamaria  
 Alberto Achaval, D.C.  
 Maria Giacalone, D.C.  
 A&M Chiropractic  
 228 South Jones Boulevard

Las Vegas, Nevada 89107

15. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Clarence Kerr  
Quest Diagnostics  
4230 Burnham Avenue  
Las Vegas, Nevada 89119
16. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Anna Vardaman  
Doug Krasniewski, PT  
Melanie Gough, PT  
Kasi Snook, PT  
Barbara Rosso, PTA  
New Century Rehabilitation, an ATI Company  
1505 Wigwam Parkway, Suite 240  
Henderson, Nevada 89074
17. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, “Erin”  
Spectra Clinical Labs  
20655 South Western Avenue, Suite 105  
Torrance, California 90501
18. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Janine Schwartz  
Thomas Vater, D.O.  
Vladimir Sinkov, M.D.  
Nevada Orthopedic & Spine Center  
7455 West Washington Avenue, Suite 160  
Las Vegas, Nevada 89128
19. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records  
Mouchir Harb, M.D.  
Las Vegas Neuroscience and Pain Medicine  
6276 South Rainbow Boulevard, Suite 100  
Las Vegas, Nevada 89118
20. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Jasmin Alicea  
PMSI Pharmacy  
4502 East Woodland Corp Boulevard, Suite 105  
Tampa, Florida 33614
21. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Jasmin Alicea  
United States Postal Service  
Law Department - Western Area



- 1745 Stout Street, Suite 500  
Denver, Colorado 80299-5555
22. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Gerald Davis  
Gerald Y. Davis, M. Ed., CRC  
Eric Davis, M.S., CRC  
Rehabilitation & Vocational Associates  
6550 South Pecos Road, Suite B-114  
Las Vegas, Nevada 89120
23. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Roxie Franklin  
Matthew Reardon, M.D.  
Tony Chin, M.D.  
Jason Rusk, PA-C  
Raymund Dela, PA-C  
John Britton, PT  
Greg Coleman, PT  
Michael P. Foster, PT  
Concentra Medical Center  
5850 South Polaris Avenue, Suite 100  
Las Vegas, Nevada 89118
24. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Kevin Segoviano  
Firooz Mashhood, M.D.  
5440 West Sahara Avenue, Suite 104  
Las Vegas, Nevada 89146
25. Physicians, Nurses, Technicians, Healthcare Providers and/or  
FRCP 30(b)(6)Witness(es) and/or Custodian of Records, Lisa Redden  
Stepanida Freeman, M.D.  
Sean Stevens, M.D.  
Henderson Hospital  
1050 Galleria Drive  
Henderson, Nevada 89011
26. Dror Kopernik, P.E.  
Foresight Reconstruction, Inc.  
5901 Lincoln Avenue  
Morton Grove, Illinois 60053
27. Whitney G. Morgan  
Motor Carrier Safety Consulting  
2229 First Avenue North  
Birmingham, Alabama 35203
28. Stuart S. Kaplan, M.D.

Las Vegas Neurosurgical Institute  
3012 South Durango Drive  
Las Vegas, Nevada 89117

29. Saman Hazany, M.D.  
2800 Neilson Way, Suite 1704  
Santa Monica, California 90405

The parties agree that the witness and exhibit list may be amended as required before trial.

The parties reserve the right to use any witnesses listed by any other party to this litigation.

The parties further reserve the right to name and list any witnesses deemed necessary for rebuttal and/or impeachment purposes.

#### **VIII. TRIAL DATE**

Counsel have met and herewith submit a list of (3) agreed-upon trial dates:

May 8, 2023

May 15, 2023

May 23, 2023

It is expressly understood by the undersigned that the Court will set a trial of this matter on one of the agreed-upon dates if possible; if not, the trial will be set at the convenience of the Court's calendar.

#### **ESTIMATED LENGTH OF TRIAL**

It is estimated that the trial will take a total of 7-10 days.

**THE702FIRM INJURY ATTORNEYS**

/s/ Zachary W. Livingston

5/17/2022

MICHAEL C. KANE, ESQ.

Nevada Bar No.: 10096

BRADLEY J. MYERS, ESQ.

Nevada Bar No.: 8857

ZACHARY W. LIVINGSTON, ESQ.

Nevada Bar No.: 15954

400 S. 7<sup>th</sup> Street, 4<sup>th</sup> Floor

Las Vegas, Nevada 89101

Telephone: (702) 776-3333

Facsimile: (702) 505-9787

**E-Mail:** [service@the702firm.com](mailto:service@the702firm.com)

Attorneys for Plaintiff

**HALL JAFFE & CLAYTON, LLP.**

/s/ Daniel C. Tetreault

5/17/2022

STEVEN T. JAFFE, ESQ.

Nevada Bar No.: 7035

DANIEL C. TETREAULT, ESQ.

Nevada Bar No.: 11473

7425 Peak Drive

Las Vegas, Nevada 89128

Telephone: (702) 316-4111

Facsimile: (702) 316-4114

**E-Mail:** [sjaffe@lawhjc.com](mailto:sjaffe@lawhjc.com)**E-Mail:** [dtetreault@lawhjc.com](mailto:dtetreault@lawhjc.com)

Attorneys for Defendants

**ACTION BY THE COURT**

This case is set for court/jury trial on the fixed/stacked calendar on May 8, 2023 at 9:00 a.m.

The Calendar call will be held on May 3, 2023 at 1:30 p.m..

This pretrial order has been approved by the parties to this action as evidenced by their signatures or the signatures of their attorneys hereon, and the order is hereby entered and will govern the trial of this case. This order may not be amended except by court order and based upon the parties' agreement or to prevent manifest injustice.

DATED: May 23, 2022.

  
UNITED STATES DISTRICT JUDGE